

418 Rec'd CT/PTO 14 JUL 1999

PATENT  
Docket No. 229752000600

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Assistant Commissioner for Patents, Washington, D.C. 20231, on July 12, 1999.

Date

Blanche H. Cook

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Alan George BAXTER

Serial No.: 09/308,192

Filing Date: May 12, 1999

For: MYCOBACTERIUM CELL WALL  
COMPOSITIONS

Examiner: Unassigned

Group Art Unit: Unassigned

TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(d) dated June 16, 1999, Applicant as a small entity submits herewith the following:


- ☒ Payment of the basic filing fee of \$485.00.
- ☒ A combined Declaration and Power of Attorney signed by the inventor and the surcharge of \$65.00 as set forth in 37 C.F.R. § 1.16(e).
- ☒ Payment of the additional claims fee of \$361.00.
- ☒ Other: Copy Form PTO-1533; request for refund and executed small entity declarations.

It is understood that this perfects the application and no additional papers or filing fees are required.

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 03-1952.**

Dated: July 12, 1999

Respectfully submitted,

By:  33519  
for Barry E. Bretschneider  
Registration No. 28,055

Morrison & Foerster<sup>LLP</sup>  
2000 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006-1888  
Telephone: (202) 887-1545  
Facsimile: (202) 887-0763

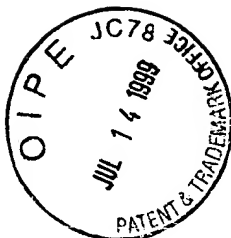
09/308192

BEO



UNITED STATES DEPARTMENT OF COMMERCE  
 Patent and Trademark Office  
 Address: ASSISTANT COMMISSIONER FOR PATENTS  
 Box PCT  
 Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/308,192	BAXTER	A 229752000600



5611  
 BARRY E BRETSCHNEIDER  
 MORRISON & FOERSTER  
 200 PENNSYLVANIA AVENUE NW  
 WASHINGTON DC 20006-1888

INTERNATIONAL APPLICATION NO.

PCT/AU97/00770

I.A. FILING DATE

PRIORITY DATE

11/13/97

11/13/96

DATE MAILED

06/16/99

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark

Office as ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.  
☐ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_.

☐ Statement Claiming Small Entity Status.

☐ Priority Document.

☒ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917

☐ Notice of Defective Translation

Christine Washington

☐ PTO-875

National Stage Processing

C. W.

FORM PCT/DO/EO/905 (December 1997)

Telephone (703) 305-3752

PATENT  
Docket No. 229752000600

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*Blanche H. Cook*  
Blanche H. Cook

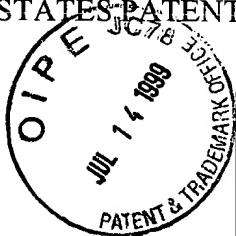
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Alan George BAXTER

Serial No.: 09/308,192

Filing Date: May 12, 1999

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COMPOSITIONS

Examiner: Unassigned

Group Art Unit: Unassigned

## REQUEST FOR REFUND

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attention: Refund Section, Accounting Division Office of Finance

Dear Sir:

Enclosed are executed Verified Statements Claiming Small Entity Status  
(37 C.F.R. § 1.9(f), 1.27(b) and 1.27(d)).

In accordance with 37 C.F.R. § 1.28, a refund of \$911.00 is requested from the \$1,822.00 fee for national phase filing paid on May 12, 1999. This request is made within two months of payment of the fee as required under the rules.

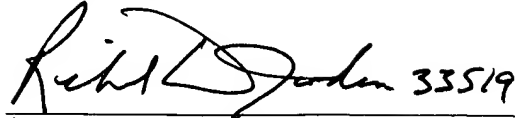
Please credit same to our Deposit Account No. 03-1952.

Respectfully submitted,

Dated: July 12, 1999

By:

for

 33519

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Registration No. 28,055

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